

1 BREND A H. ENTZMINGER
2 Nevada Bar No. 9800
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4 Nevada Bar No. 13746
5 **PHILLIPS, SPALLAS & ANGSTADT LLC**
6 504 South Ninth Street
7 Las Vegas, Nevada 89101
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6 *Attorneys for Defendant*
7 *Wal-Mart Stores, Inc.*

8 UNITED STATES DISTRICT COURT

9 DISTRICT OF NEVADA

10 SUZY MCCABE,

Case No.: 2:14-01987-JAD-CWH

11 Plaintiff,

12 v.

13 WAL-MART STORES, INC., WALMART
14 NEIGHBORHOOD MARKET, DOE
MAINTENANCE EMPLOYEE, DOE
EMPLOYEE, DOE JANITORIAL
EMPLOYEE, DOE OWNER, I-V, ROE
EMPLOYER, and ROE COMPANIES,

STIPULATION AND [PROPOSED]
ORDER TO EXTEND DISCOVERY
DEADLINES

[FIRST REQUEST]

16 Defendants.

17 Comes now Plaintiff SUZY MCCABE (“Plaintiff”) and Defendant WAL-MART STORES,
18 INC. (“Walmart”), by and through their respective counsel of record, and hereby stipulate to the
19 extension of all remaining discovery deadlines by thirty days. The parties therefore propose the
20 following revised discovery plan.
21

22 Pursuant to Local Rule 6-1(b), the parties hereby aver that this is the first such discovery
23 extension requested in the matter.

24 **DISCOVERY COMPLETED TO DATE**

25 The parties have conducted an FRCP 26(f) conference and have served their respective FRCP
26 26(a) disclosures. Both parties have propounded written discovery requests—including
27 interrogatories, requests for admission and requests for production. Both parties have answered
28

1 propounded written discovery requests. Plaintiff's FRCP 35 Independent Medical Evaluation was held
2 on Friday, May 22, 2015. The parties have scheduled Plaintiff's deposition for Tuesday, June 9, 2015.
3

4 **DISCOVERY TO BE COMPLETED AND**
REASONS FOR EXTENSION OF DISCOVERY

5 Discovery to be completed includes: additional written discovery; deposition of fact witnesses;
6 depositions of Plaintiff's treating physicians; disclosure of expert witnesses; depositions of expert
7 witnesses and rebuttal expert witnesses.
8

9 Despite the good faith efforts of the parties to comply with the Court's discovery deadlines,
10 Plaintiff was unavailable for a Rule 35 Independent Medical Evaluation until May 22, 2015. The delay
11 in conducting the Rule 35 Independent Medical Evaluation in conjunction with the voluminous
12 amount of medical records the parties' respective experts must review constitute good cause for a
13 thirty day extension of all remaining discovery deadlines by thirty days.

14 **[PROPOSED] NEW DISCOVERY DEADLINE**

15 **Expert Disclosure Deadline**

16 Current: June 3, 2015
Proposed: July 3, 2015

17 **Rebuttal Expert Disclosure**

18 Current: July 3, 2015
Proposed: August 3, 2015

19 **Interim Status Report**

20 Current: June 3, 2015
Proposed: July 3, 2015

21 **Dispositive Motions**

22 Current: September 3, 2015
Proposed: October 5, 2015

23 //
24 //

1 **Pre-Trial Order**

2 Current: October 2, 2015
3 Proposed: November 2, 2015

4 **Discovery Cut-off Date**

5 Current: August 3, 2015
6 Proposed: September 2, 2015

7

8 If this extension is granted, all anticipated additional discovery should be concluded within its
9 stipulated extended deadlines. The parties aver that this request for extension of discovery deadlines
10 is made by the parties in good faith and not for the purpose of delay.

11

12 Dated this 27th day of May, 2015.

13

14 _____
15 /s/ *Adrian Karimi*
16 Adrian Karimi
17 Nevada Bar No. 13514
18 MORRIS ANDERSON LAW FIRM
19 716 S. Jones Blvd.
20 Las Vegas, NV 89107

21

22 Dated this 27th day of May, 2015.

23

24 _____
25 /s/ *Brenda H. Entzminger*
26 Brenda H. Entzminger
27 Nevada Bar No. 9800
28 PHILLIPS SPALLAS & ANGSTADT
 504 South Ninth Street
 Las Vegas, NV 89101

29

30 *Attorneys for Plaintiff*
31 *Suzy McCabe*

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33 *Attorneys for Defendant*
34 *Wal-Mart Stores, Inc.*

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36 **ORDER**

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38 **IT IS SO ORDERED:**

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 27th day of May, 2015, I served a true and correct copy of the
3 foregoing, **STIPULATION AND [PROPOSED] ORDER TO EXTEND DISCOVERY**
4 **DEADLINES, [FIRST REQUEST]**, by facsimile and by U.S. Mail, in a sealed envelope, first-class
5 postage fully prepaid, addressed to the following counsel of record, at the address listed below:
6

ATTORNEY OF RECORD	TELEPHONE/FAX	PARTY
RYAN M. ANDERSON, ESQ. Nevada Bar No. 11040	Phone 702-333-1111 Fax 702-507-0092	Plaintiff
KIMBALL JONES, ESQ. Nevada Bar No. 12982		
MORRIS ANDERSON 716 S. Jones Blvd. Las Vegas, NV 89107		

12 */s/ Amtoj S. Randhawa*

13 An Employee of PHILLIPS, SPALLAS & ANGSTADT LLC